

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE DISTRICT OF PUERTO RICO

IN RE:

YAMILKA RIVERA CERPA

DEBTOR

CASE NO. 14-05736-MCF

CHAPTER 13

**NOTICE OF FILING OF AMENDED CHAPTER 13 PLAN
AND CERTIFICATE OF SERVICE**

TO THE HONORABLE COURT:

NOW COMES, YAMILKA RIVERA CERPA, debtor in the above captioned case, through the undersigned attorney, and very respectfully states and prays:

1. The debtor is hereby submitting a proposed amended Plan, dated October 23, 2014, herewith and attached to this motion.
2. This proposed amended Plan is filed to increase Plan payments upon maturity date of debtor's retirement loan on September, 2016 and cure the "insufficiently funded" issue raised by the Trustee in his unfavorable report, docket #15.

WHEREFORE debtor respectfully requests the confirmation of the requested amended Plan, dated October 23, 2014.

I CERTIFY that on this same date a copy of this notice was sent via electronically with the Clerk of the Court using CM/ECF systems which will send notifications of such to the Chapter 13 Trustee; and also certify that I have mailed by United States Postal Service copy of this motion to the following non CM/ECF participants: debtor, Yamilka Rivera Cerpa, and to all creditors and interested parties appearing in the master address list, hereby attached.

RESPECTFULLY SUBMITTED. In San Juan, Puerto Rico, this 23rd day of October, 2014.

/s/ Roberto Figueroa Carrasquillo
ROBERTO FIGUEROA CARRASQUILLO
USDC #203614
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United States Bankruptcy Court
District of Puerto Rico

IN RE:

Case No. **3:14-bk-5736**

RIVERA CERPA, YAMILKA

Chapter **13**

Debtor(s)

AMENDED CHAPTER 13 PAYMENT PLAN

1. The future earnings of the Debtor(s) are submitted to the supervision and control of the Trustee and the Debtor(s) shall make payments to the Trustee ☒ directly ☐ by payroll deductions as hereinafter provided in the PAYMENT PLAN SCHEDULE.
2. The Trustee shall distribute the funds so received as hereinafter provided in the DISBURSEMENT SCHEDULE.

PLAN DATED: _____ <input type="checkbox"/> PRE <input type="checkbox"/> POST-CONFIRMATION		<input checked="" type="checkbox"/> AMENDED PLAN DATED: 10/23/2014 Filed by: <input checked="" type="checkbox"/> Debtor <input type="checkbox"/> Trustee <input type="checkbox"/> Other	
I. PAYMENT PLAN SCHEDULE \$ <u>430.00</u> x <u>1</u> = \$ <u>430.00</u> \$ <u>480.00</u> x <u>11</u> = \$ <u>5,280.00</u> \$ <u>580.00</u> x <u>14</u> = \$ <u>8,120.00</u> \$ <u>730.00</u> x <u>34</u> = \$ <u>24,820.00</u> \$ _____ x _____ = \$ _____ <p style="text-align: right;">TOTAL: \$ <u>38,650.00</u></p> Additional Payments: \$ _____ to be paid as a LUMP SUM within _____ with proceeds to come from: <input type="checkbox"/> Sale of Property identified as follows: _____ <input type="checkbox"/> Other: _____ Periodic Payments to be made other than, and in addition to the above: \$ _____ x _____ = \$ _____ PROPOSED BASE: \$ <u>38,650.00</u>		II. DISBURSEMENT SCHEDULE A. ADEQUATE PROTECTION PAYMENTS OR \$ _____ B. SECURED CLAIMS: <input type="checkbox"/> Debtor represents no secured claims. <input checked="" type="checkbox"/> Creditors having secured claims will retain their liens and shall be paid as follows: 1. <input checked="" type="checkbox"/> Trustee pays secured ARREARS: Cr. <u>Banco Popular De P</u> Cr. _____ # <u>Claim 1-1</u> # _____ \$ <u>19,246.07</u> \$ _____ 2. <input type="checkbox"/> Trustee pays IN FULL Secured Claims: Cr. _____ Cr. _____ # _____ # _____ \$ _____ \$ _____ 3. <input type="checkbox"/> Trustee pays VALUE OF COLLATERAL: Cr. _____ Cr. _____ # _____ # _____ \$ _____ \$ _____ 4. <input type="checkbox"/> Debtor SURRENDERS COLLATERAL to Lien Holder: 5. <input type="checkbox"/> Other: 6. <input checked="" type="checkbox"/> Debtor otherwise maintains regular payments directly to: <u>Banco Popular De P</u> C. PRIORITIES: The Trustee shall pay priorities in accordance with the law. 11 U.S.C. § 507 and § 1322(a)(2) D. UNSECURED CLAIMS: Plan <input type="checkbox"/> Classifies <input checked="" type="checkbox"/> Does not Classify Claims. 1. (a) Class A: <input type="checkbox"/> Co-debtor Claims / <input type="checkbox"/> Other: <input type="checkbox"/> Paid 100% / <input type="checkbox"/> Other: Cr. _____ Cr. _____ # _____ # _____ \$ _____ \$ _____ 2. Unsecured Claims otherwise receive PRO-RATA disbursements. OTHER PROVISIONS: (Executory contracts; payment of interest to unsecureds, etc.) * "Tax refunds will be devoted each year, as periodic payments, to the plan's funding until plan completion. The plan shall be deemed modified by such amount, without the need of further Court order. The debtor(s) shall seek court's authorization prior any use of funds." Late filed claims filed by creditors will receive no distribution. "Surrenders collateral": Shares/savings in any Cooperativa/Association/Bank.	
III. ATTORNEY'S FEES (Treated as § 507 Priorities) Outstanding balance as per Rule 2016(b) Fee Disclosure Statement: \$ <u>2,893.00</u>			
Signed: <u>/s/ YAMILKA RIVERA CERPA</u> Debtor Joint Debtor			

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Attorney for Debtor **R. Figueroa Carrasquillo Law Office**

Phone: **(787) 744-7699**

AMENDED CHAPTER 13 PAYMENT PLAN

Label Matrix for local noticing
0104-3
Case 14-05736-MCF13
District of Puerto Rico
Old San Juan
Thu Oct 23 15:45:30 AST 2014

BANCO POPULAR DE PUERTO RICO
COLON SANTANA & ASOCIADOS CSP
315 COLL & TOSTE
SAN JUAN, PR 00918-4026

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Jose V Toledo Fed Bldg & US Courthouse
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San Juan, PR 00901-1964

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PO Box 364508
San Juan, PR 00936-4508

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PO Box 363228
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Coop A/C Oriental
PO Box 876
Humacao, PR 00792-0876

Sistema De Retiro
PO Box 42003
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YAMILKA RIVERA CERPA
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End of Label Matrix
Mailable recipients 10
Bypassed recipients 0
Total 10